



U.S. Department of Justice

United States Attorney
District of New Jersey

402 East State Street, Room 430
Trenton, NJ 08608

(609) 989-2354

July 2, 2007

Senior Special Agent Douglas M. Loveland
Food and Drug Administration, Office of Criminal Investigations
Special Prosecutions Unit
11750 Beltsville Drive, Suite 200
Beltsville, MD 20705

Re: Investigation of Aventis Pharmaceuticals, Inc.

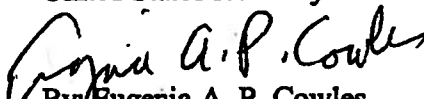
Dear Senior Special Agent Loveland:

Please be advised that this office is declining prosecution of the above-captioned matter. On June 21, 2007, you presented the FDA's evidence to us during a meeting in Trenton, New Jersey. As your letter of June 22, 2007 accurately reflects, at that time we indicated that the only apparent fraud involved in this matter was that committed by Dr. Anne Kirkman-Campbell, for which she has already been prosecuted. While our office remains committed to supporting the FDA's efforts to investigate and prosecute criminal violations of the Food, Drug, and Cosmetic Act and related crimes, we feel that the evidentiary problems in this case outweigh the potential benefits of federal prosecution. Put simply, the FDA's lack of reliance on the faulty study, and its subsequent decision to approve Ketek® despite an on-going investigation into Dr. Kirkman-Campbell's conduct, make any conviction against Aventis for fraud in connection with the submission of the study highly unlikely. As such, this office will not expend its limited resources to explore prosecution in this matter.

Please feel free to contact me at (609) 989-2354 with any further questions about our declination.

Respectfully yours,

CHRISTOPHER J. CHRISTIE
United States Attorney


By: Eugenia A. P. Cowles
Assistant U.S. Attorney